

Case No.: N02.3003C1

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Substituted Tetrahydroisoquinolines as C5a Receptor Modulators

the specification of which is attached hereto unless the following space is checked:

☐

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application (s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.	60/368,199	3/28/2002
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of any of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.	10/401,135	3/27/2003	Allowed
2.			

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Seth A. Fidel
Ann T. Kadlecek

Registration Number: 38,449
Registration Number: 39,244

Address all telephone calls to Ann Kadlecek at (203) 315-4644.

Address all correspondence to Seth A. Fidel or Ann T. Kadlecek at Neurogen Corporation, 35 Northeast Industrial Road, Branford, CT 06405 USA.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Kyungae Lee

Inventor's signature: 

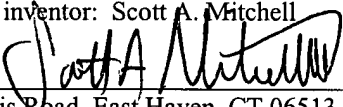
Residence: 6 Finch Lane, Guilford, CT 06437

Citizenship: KR

Post Office Address: 6 Finch Lane, Guilford, CT 06437

Date: 4/6/04

Full name of second inventor: Scott A. Mitchell

Inventor's signature: 

Residence: 13 Morris Road, East Haven, CT 06513

Citizenship: U.S.A.

Post Office Address: 13 Morris Road, East Haven, CT 06513

Date: 3/25/04

Full name of third inventor: Robert Ohliger

Inventor's signature: 

Residence: 2115 Durham Road, Madison, CT 06443

Citizenship: U.S.A.

Post Office Address: 2115 Durham Road, Madison, CT 06443

Date: 4/12/04

Full name of fourth inventor: LuYan Zhang

Inventor's signature: 

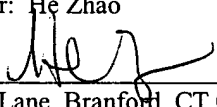
Residence: 83 Florence Road, Apt. 2C, Branford, CT 06405

Citizenship: CN

Post Office Address: 83 Florence Road, Apt. 2C, Branford, CT 06405

Date: 04/06/2004

Full name of fifth inventor: He Zhao

Inventor's signature: 

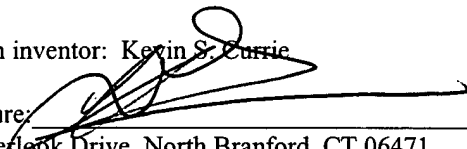
Residence: 4 Stoneridge Lane, Branford, CT 06405

Citizenship: CN

Post Office Address: 4 Stoneridge Lane, Branford, CT 06405

Date: 4/12/04

Full name of sixth inventor: Kevin S. Currie

Inventor's signature: 

Residence: 9 Overlook Drive, North Branford, CT 06471

Citizenship: GB

Post Office Address: 9 Overlook Drive, North Branford, CT 06471

Date: 4/3/04

US Express Mailing No. ER586113460US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No. N02.3003C1

Applicant or
Patentee: Kyungae Lee, et al.

Serial or
Patent No. Not Yet Assigned Filed: Herewith

Title: Substituted Tetrahydroisoquinolines as C5a Receptor Modulators

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN

NEUROGEN CORPORATION

ADDRESS OF SMALL BUSINESS CONCERN

35 NORTHEAST INDUSTRIAL ROAD
BRANFORD, CT 06405

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121, and referenced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "Substituted Tetrahydroisoquinolines as C5a Receptor Modulators" by inventors Kyungae Lee, Scott A. Mitchell, Robert Ohliger, LuYan Zhang, He Zhao and Kevin S. Currie, described in

- ☒ the specification filed herewith.
☐ Application Serial No. _____, filed _____
☐ Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual concern or organization having rights in the invention must file verified statements averring to their status as small entities, and

Patent Department
NEUROGEN CORPORATION
35 Northeast Industrial Road
Branford, CT 06405
203-488-8201

no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization having any rights to the invention is listed below:

- ☒ No such person, concern or organization exists.
☐ Each such person, concern or organization is listed below.

FULL NAME _____ ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights in the invention averring to their status as small entities. (37 CFR § 1.27).

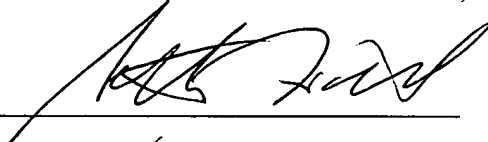
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Seth Fidel

TITLE IN ORGANIZATION: Assistant Secretary to the Corporation

ADDRESS OF PERSON SIGNING: 35 Northeast Industrial Road
Branford, CT06405

Signature: 

Date: 

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